REMARKS

Reconsideration of the above-identified application is respectfully requested.

The drawings were objected to because the reference number 75 was used for a foot in FIG. 7. The current Office Action indicates that the previously submitted sheet of drawings, containing revised FIG. 7, was approved. Revised FIG. 7 has the reference number for the foot changed to 85. Reconsideration of the objection is requested.

Claims 1–5 were rejected as indefinite. The Examiner asserts that "The load sensor is actuated in response to the weight of the platform, not the rotation of the platform." This is plainly contrary to applicants' disclosure and claims; see page 5, line 7 ff. It would be helpful to know the basis of the Examiner's understanding of the operation of the claimed invention but no reference to the description is made.

The Examiner questions how a load is applied. This does not relate to definiteness. A child could climb onto the platform and be sensed by the load sensor. Is the "how" of a child climbing onto the platform to be recited in the name of definiteness? Must all the ways a load could be applied be recited in order to have definiteness? It is respectfully submitted that the Examiner's comments lack relevance.

It is respectfully submitted that one of ordinary skill in the relevant art would know how to load a scooter onto a platform for carrying a scooter. If the Examiner believes that the level of skill in the art is so low that one would not know how to apply a load, then some explanation by the Examiner is in order.

A lift, including a platform, are recited in the preamble of claim 1. In other words, the recitation is of the prior art. It is respectfully submitted that one of ordinary skill in the relevant art knows how to operate devices of the prior art.

The Examiner asks "To what structure is the load applied?" It is respectfully submitted that one of ordinary skill in the relevant art would know. However, to advance the prosecution, applicants have amended claim 1 to recite that the load is applied to the platform. Because the change does not tell the reader anything that he did not know already, the change is obviously one of form and not substance.

Claims 1–4 were rejected as anticipated by Hamann et al. Claims 1–5 were rejected as anticipated by Bruno et al. For the reasons of record, these rejections are untenable.

In support of the rejection, the Examiner alleges that "the load sensors of Bruno et al. and Hamann et al. are in fact actuated in response to both platform elevation and the weight of the platform during elevation."

(1) Claims 1–5 recite actuation by the **rotation** of the platform, not the weight of the platform. The Examiner is ignoring plain, clear, definite claim language. Elevation has nothing to do with claim language.

(2) The Examiner's comments continue the mischaracterization of the invention begun in the rejection under 35 USC 112.

(3) Weight is static. Rotation is dynamic. How can anything be actuated by something that does not change? The rejection makes no sense technically.

(4) The rejection is ungrammatical. The weight **on** the platform may change. The weight **of** the platform does not change. If a weight on the platform causes rotation, then the load sensor is actuated. If not, then there is no actuation. (The invention enables one to sense a small child anywhere on the platform but not a Popsicle® stick.; e.g., see page 2, lines 21–27, and page 5, lines 13–14 of applicants' specification. The prior art does not **and cannot** do anything like this.)

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1–10 are in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

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